

IN RE: PETITION FOR ADMINISTRATIVE
ZONING VARIANCE
W/S Cameron Mill Road, 820 ft.
(1/2) SW of Bently & Kaufman Rds.
20108 Cameron Mill Road
7th Election District
3rd Councilmanic District
Timothy J. Kotchenreuter
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-407-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Timothy J. Kotchenreuter for that property known as 20108 Cameron Mill Road in the northern section of Baltimore County. The Petitioner herein seeks a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 30 ft., and a street centerline setback of 67.5 ft., in lieu of the required 50 ft. and 75 ft. respectively, for a proposed addition; and to permit the existing building setbacks as close as 39 ft. to bring the property into compliance with the current regulations. All as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of

the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 28th day of June, 1993 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a property line setback of 30 ft., and a street centerline setback of 67.5 ft., in lieu of the required 50 ft. and 75 ft. respectively, for a proposed addition, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to permit the existing building setbacks as close as 39 ft. to bring the property into compliance with the current regulations, be and is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

Lawrence E. Schmidt
LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn
enc1.

-2-

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 24, 1993

Mr. Timothy J. Kotchenreuter
20108 Cameron Mill Road
Parkton, Maryland 21120

RE: Petition for Administrative Variance
Case No. 93-407-A
20108 Cameron Mill Road

Dear Mr. Kotchenreuter:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
enc1.



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 20108 Cameron Mill Rd. Parkton, MD
which is presently zoned RC 5 21120

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B.3. To permit a property line setback of as close as 30' and a street centerline setback of 67.5' in lieu of the required 50' and 75' setbacks (respectively) for a proposed addition. (And) to permit existing building setbacks of as close as 39' (as shown on the site plan) to bring the property into compliance with the current regulations. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: Indicate hardship or practical difficulty. Hardship: Cannot increase living space of one bedroom home without impeding on setback lines, since the existing setbacks are not in compliance with RC 5 zoning. The property was subdivided and the house built prior to the time that RC 5 zoning was put into effect.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

When do solemnly declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this petition.

(Legal Owner(s))
Timothy J. Kotchenreuter

(Type or Print Name)
Signature

Address

City State Zipcode

Attorney for Petitioner: (Type or Print Name) Signature

Address

City State Zipcode

Signature

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111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 11, 1993

Mr. Timothy J. Kotchenreuter
20108 Cameron Mill Road
Parkton, MD 21120

RE: Case No. 93-407-A, Item No. 421
Petitioner: Timothy J. Kotchenreuter
Petition for Administrative Variance

Dear Mr. Kotchenreuter:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 20, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Re: Baltimore County
Item No. * 421 (JLC)

Ms. Julie Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

June 3, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson, DEPRM
Development Coordinator, DEPRM

SUBJECT: Zoning Item #421, Kotchenreuter Property
20108 Cameron Mill Road
Zoning Advisory Committee Meeting of June 1, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

An inspection of the well and septic system will be required prior to building permit approval by a representative of Ground Water Management.

JLP:sp

CAMERON/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee
Captain Jerry Pfeifer
Fire Department

FROM: Fire Department

DATE: May 27, 1993

SUBJECT: Comments for 06/08/93 Meeting

Item 405	Building shall comply with applicable provisions of the 1991 Life Safety Code.
Item 416	No Comments
Item 417	No Comments
Item 418	No Comments
Item 419	No Comments
Item 420	No Comments
Item 421	No Comments
Item 422	No Comments
Item 423	No Comments
Item 424	No Comments

JP/dmc

RECEIVED
MAY 28 1993

ZADM

CPS-008



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 27, 1993

Timothy J. Kotchenreuter
20108 Cameron Mill Road
Parkton, Maryland 21120

Re: CASE NUMBER: 93-407-A (Item, 421)
20108 Cameron Mill Road
W/S Cameron Mill Road, 820' +/- SM of Bently and Kaufman Roads
7th Election District - 3rd Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Any contact made with this office should reference the case number. This letter also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before June 6, 1993. The closing date (June 21, 1993) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

Arnold Jablon
Director

File Note 421

Applicant is a County Employee. I advised
he contact his Council person office and inform
them that he is filing for zoning variance and
wishes that the resolution required by the Council
(by County Code) be initiated.

Section 26-3(e)

JLP
5/26/93

93-407-A

County Council of Baltimore County

Court House, Towson, Maryland 21204
(410) 887-3196
Fax (410) 887-5791

Berchie L. Manley
FIRST DISTRICT
Melvin G. Mintz
SECOND DISTRICT
Charles A. Ruppensberger, III
THIRD DISTRICT
Douglas B. Riley
FOURTH DISTRICT

Vince Gardina
FIFTH DISTRICT
William A. Howard, IV
SIXTH DISTRICT
Donald C. Mason
SEVENTH DISTRICT
Thomas J. Peddicord, Jr.
LEGISLATIVE COUNCIL SECRETARY

June 23, 1993

Lawrence E. Schmidt
Baltimore County Zoning Commissioner
Court House
Towson, Maryland 21204

Dear Mr. Schmidt:

Attached please find a copy of Resolution 47-93 concerning the public disclosure of Timothy J. Kotchenreuter, an employee of the Baltimore County Office of Central Services. Mr. Kotchenreuter has applied for a residential zoning variance to construct an addition to his home at 20108 Cameron Mill Road, Parkton, Maryland, 21120.

This Resolution was unanimously approved by the County Council at its June 21, 1993 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr.
Legislative Counsel/Secretary

TJP:dp
R4793/DAP/TJP

cc: Timothy Kotchenreuter

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

LEGISLATIVE SESSION 1993, LEGISLATIVE DAY NO. 13

RESOLUTION NO. 47-93

MR. C. A. DUTCH RUPPENSBERGER, III, COUNCILMAN

BY THE COUNTY COUNCIL, JUNE 21, 1993

A RESOLUTION concerning the public disclosure of Timothy J. Kotchenreuter, an employee of the Baltimore County Office of Central Services.

WHEREAS, Timothy J. Kotchenreuter, an employee of Baltimore County, has applied for a residential zoning variance to construct an addition to his home at 20108 Cameron Mill Road, Parkton, Maryland 21120; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application for a zoning variance of Timothy J. Kotchenreuter does not contravene the public welfare and is hereby authorized.

KOTCHRT/DRFT.BIL

